

**Montana Department of
ENVIRONMENTAL QUALITY**

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Victor K
for site files

Brian Schweitzer, Governor
Richard H. Opper, Director

May 6, 2010


1154086 - R8 SDMS

Ms. Carol Campbell
USEPA Region 8
1595 Wynkoop St.
Mail Code 8EPR
Denver CO 80202-1129

Re: Letter of Concurrence, Operable Unit 1 Record of Decision for the Libby
Superfund Site

Dear Ms. Campbell:

The identification of Remedy at Operable Unit 1 (OU1), the former Export Plant, located near the intersection of Highway 37 and the Kootenai River, is a great step forward in the overall cleanup process for the Libby Superfund site. The remedy addresses, in part, Montana's January 2002, request from Governor Martz to name Libby as Montana's highest priority for NPL (Superfund) listing. Specifically, the selected remedy for OU1 includes partial removal of contaminated surface soils, removal of contaminated soil from utility corridors, in-place containment of contaminated soils, off-site disposal of contaminated soils, and institutional controls with monitoring. The Record of Decision (ROD) for OU 1 summarizes the sampling, testing, and response actions to date, the nature and extent of the contamination, and the selected remedy to reduce the risks to acceptable levels.

The DEQ concurs with the ROD for OU 1 because the selected remedy will:

- 1) protect the public health and the environment by eliminating all known exposure pathways associated with OU1
- 2) require that the remedy be re-evaluated for effectiveness when the site-wide risk assessment is completed
- 3) expedite future beneficial use of the property.

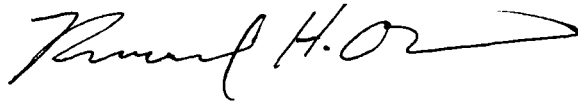
Ms. Carol Campbell, USEPA Region 8
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The DEQ also concurs with the ROD commitment that:

"When the site-wide risk assessment is complete, the agencies will re-evaluate the selected remedy and determine the need for modification. This determination will be published and an opportunity for public comment will be provided. Similar opportunities for public comment will be provided at the time of the subsequent five-year reviews."

The DEQ appreciates the opportunity to work with the EPA to develop this ROD, and the DEQ looks forward to working with the EPA to implement this ROD.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard H. Opper", with a long horizontal flourish extending to the right.

Richard H. Opper
Director

cc: Remediation Division

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